

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS
WESTERN DIVISION**

NATIONAL INSTITUTE OF FAMILY
AND LIFE ADVOCATES et al.

Plaintiff(s),

v.

KWAME RAOUL, in his official
capacity as Attorney General

Defendant(s).

Case No. 3:23-cv-50279

Magistrate Judge Lisa A. Jensen

JOINT INITIAL STATUS REPORT

The parties submit this joint initial status report in advance of the initial status hearing set for October 23, 2023 .

All parties who have appeared shall join in the filing of this initial status report. An initial status report must still be filed even if filed unilaterally.

1. Nature of the Case Including Legal Issues, Factual Issues, and Affirmative Defenses.

For claims by or against only some parties, identify which.

Plaintiffs are pro-life pregnancy centers and sidewalk counseling organizations. They have sued the Attorney General of Illinois to prevent enforcement of Senate Bill 1909, which amends the Consumer Fraud and Deceptive Practices Act to prohibit "limited services pregnancy centers" from engaging in "deceptive practices" in performing "pregnancy-related services." Plaintiffs bring claims arising under the free speech clause, free exercise clause, and freedom of association component of the First Amendment. Plaintiffs also bring claims arising under the equal protection, procedural due process (vagueness), and substantive due process clauses of the Fourteenth Amendment. Defendant intends to defend these claims and plaintiffs' standing.

2. Parties and Service

Identify each individual plaintiff:

Nat'l Inst. of Fam. & Life Advocates

Relevant Pregnancy Options Ctr.

Women's Help Services

Pro-Life Action League

Rockford Family Initiative

Identify each individual defendant and the status of service. If more space is needed, attach additional pages to the end of this report.

Defendant	Date Served	Date Appeared	Answer Due or Date Answered
Kwame Raoul	7/27/23	8/2/23	9/8/23

For each defendant not served, describe the efforts to serve that defendant. If more space is needed, attach additional pages to the end of this report.

Defendant	Efforts to Serve
None	

List any potential party the defendant(s) may seek to add as a third-party defendant.

Third-Party Defendant	Basis of Liability
None	

3. Status of Settlement Discussions and the Potential for Settlement

The parties have not discussed settlement and continue to evaluate the potential for settlement.

4. Identify any Parallel Cases (including but not limited to possible MDL litigation, underlying criminal proceedings, or related litigation).

Case Name	Case #	Court	Nature of Proceeding
None			

5. Identify all Pending or Anticipated Motions

Motion (including docket number if already filed)	Date Filed or Anticipated
Pls' Motion for Judgment on the Pleadings	11/13/23
Pls' Motion to Amend Complaint to add AG Personal Capacity	10/28/23

6. Discovery

During the initial status hearing the Court will likely set a deadline for submitting a proposed case management order at a later date. To help guide that discussion, the parties shall provide their best estimates formed after reasonable investigation and inquiry of the amount and scope of discovery in response to the following questions:

The plaintiff(s) anticipate(s) taking about 8 depositions of fact witnesses.

For claims involving medical conditions, the plaintiff has about treaters who are either (check one) ☐ all located in or near the Rockford/Chicago areas, or ☐ includes treaters located outside the Rockford and Chicago areas such as .

The plaintiff(s) (check one) ☒ anticipate(s) using about 2 retained expert witnesses, or ☐ do(es) not anticipate retaining expert witnesses.

The defendant(s) anticipate(s) taking about 25 depositions of fact witnesses. That number does not include any of the depositions the plaintiff(s) anticipate(s).

The defendant(s) (check one) ☒ anticipate(s) using about 4 retained expert witnesses, or ☐ do(es) not anticipate retaining expert witnesses.

The parties anticipate that fact discovery (which includes treating physician depositions) will take about 18 months.

7. Consent to the Magistrate Judge

(Must check one)

- ☐ Consistent with Local Rule 73.1, all parties have appeared and consent to have the Magistrate Judge conduct all proceedings in this case, including trial, the entry of a final judgment, and all post-trial proceedings.
- ☒ Not all parties will consent to proceed before the Magistrate Judge.

PLAINTIFF(S)

NATIONAL INSTITUTE OF FAMILY
AND LIFE ADVOCATES et al.,

DEFENDANT(S)

KWAME RAOUL, in his official capacity
as Attorney General of the State of
Illinois,

By:

/s/ Peter Breen (with permission)
Thomas More Society
312-782-1680
pbreen@thomasmoresociety.org

By:

/s/ Darren Kinhead
Office of the Attorney General
773-590-6967
Darren.Kinhead@ilag.gov

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